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Congress of the United States
House of Representatives
Washington, DC 20515-2002

March 26, 2014

The Honorable Tom Wheeler, Chairman
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20054

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Dear Chairman Wheeler:

I was recently contacted by a constituent business, Sinclair Broadcast Group, concerning the Report & Order regarding joint sales agreements between broadcast television stations, as well as the Public Notice released by the FCC's Media Bureau on March 12, 2014, regarding the processing of broadcast television applications proposing sharing arrangements and contingent interests. It is my understanding that the FCC plans to vote during its March 2014 meeting on proposed rule changes pertaining to joint sales agreements and how they are used to calculate television station ownership.

We believe such regulations, if enacted outside of a larger media ownership proceeding or legislative process, could harm diversity, localism and competition, not only for Sinclair Broadcasting Group, but for other broadcasting corporations across the country. Accordingly, I would ask that you consider the principles outlined in this letter before your meeting in March so that Sinclair Broadcasting group and other broadcasting corporations have a firm and fair understanding of the rules and regulatory processes in place at the FCC.

Firstly, any changes to rules regarding sharing arrangements should be made either in the context of a larger FCC media ownership proceeding that would provide stakeholders with an opportunity to participate and respond, or by legislative process.

Secondly, existing transactions already approved by the FCC, should properly be grandfathered by any prospective rules. Retroactive application of rules to transactions entered into in full compliance with laws, and already approved by the government, is unfair to businesses.

Finally, transactions already entered into and awaiting approval of the FCC, and made in reliance on existing laws and regulations, should be approved on the basis of existing rules, and not future rules. Companies are entitled to rely on rules, and once again the application of future regulations is inconsistent with our notions of rule of law.

I appreciate your review of my concerns as they relate to Sinclair Broadcasting's pending application, and I look forward to your prompt response. Should you have any questions or concerns regarding this matter, please do not hesitate to contact Ms. Tara Oursler, Chief of Staff, at 410-628-2701.

Sincerely,

A handwritten signature in cursive script that reads "C.A. Dutch Ruppertsberger". The signature is written in dark ink and is positioned above the printed name.

C.A. Dutch Ruppertsberger
Member of Congress



OFFICE OF
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

May 1, 2014

The Honorable C.A. Dutch Ruppersberger
U.S. House of Representatives
2416 Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman Ruppersberger:

Thank you for your letter expressing concerns regarding the recent Commission action to attribute certain Joint Sales Agreements (JSAs) between television stations. I appreciate the opportunity to provide some clarification about the Commission's March 31, 2014 decision to attribute TV JSAs where one station sells 15% or more of the weekly advertising time on behalf of another station in the same market.

The Commission is taking a comprehensive review of the broadcast ownership rules as part of our recently adopted *Further Notice of Proposed Rulemaking* that started the 2014 Quadrennial Review. Even in light of the pending proceeding, it is important that the Commission continues to enforce its existing rules. Historically, the Commission's rules have prohibited one television broadcaster from owning more than one station in small and medium-size markets. The purpose of this is to foster competition, localism, and a diversity of voices in the public interest. There has been a growing concern over the last decade that TV stations are using JSAs as a way to circumvent our local TV ownership restrictions by influencing the core operating functions of the other station in a market where joint ownership would not be allowed under the rules.

Stations have been on notice since 2004 when the Commission first started a proceeding proposing to attribute these types of TV agreements. Since the start, the industry has participated in the proceeding, including in 2010 when the Commission sought additional comment as part of the Quadrennial Review of broadcast ownership rules. In fact, it is our understanding that stations have been noting the possible change in policy as part of their SEC filings, and the Commission has consistently noted the pending proceeding to attribute JSAs in prior decisions on broadcast transactions that involve JSAs.

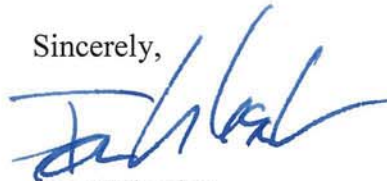
The Commission action on the TV JSA rule mirrors the path taken in 2002, when the Commission attributed JSAs for radio stations in the same manner and provided a 2-year period for stations to come into compliance. I do recognize that there could be some exceptions where an attributable JSA could be in the public interest, which is why the Commission adopted an expedited waiver process as part of its *Order*. I believe that this process will better protect competition and diversity than would merely grandfathering existing agreements.

Page 2—The Honorable C.A. Dutch Ruppersberger

By moving decisions on broadcast ownership into the open, we will enable the public and the Commission to consider more fully and appropriately the public interest issues raised by the implementation of the Commission's rules.

I hope this information is helpful.

Sincerely,

A handwritten signature in blue ink, appearing to read "Tom Wheeler", with a stylized flourish extending to the right.

Tom Wheeler